

**CITY OF CLEWISTON**  
**Regular Commission Meeting**  
**March 4, 2013**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, March 4, 2013. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. Commissioner James Pittman led the audience in the Lord's Prayer and Pledge of Allegiance.

**Attendance:**

**Commissioners Present:** Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Richard Miller, and Commissioner James Pittman. Commissioner Julio Rodriguez was absent.

**Personnel Present:** Finance Director Ted Byrd, Interim City Manager Don Gutshall, City Clerk Marilyn McCorvey, Golf Course Director Adolfo Pena, Recreation Director Lance Ramer, Community Development Director Travis Reese, Public Works Director Sean Scheffler, City Attorney Charles Schoech, and Rhonda Davis.

**Visitors Present:** Mark Chamberlain, Jerry Cochran, Terry Gardner, Asa & Betty Godsey, Denise Hatton, Christine Howell, Donald Hughes, Paula Pittman, Sherida Ridgill, Mercedes Vary. and John Wellslager.

**1. Consent Agenda**

- A. *City Commission Workshop Minutes – February 11, 2013*
- B. *Special Commission Meeting Minutes – February 12, 2013*
- C. *City Commission Meeting Minutes – February 18, 2013*
- D. *Special Commission Meeting Minutes – February 21, 2013*
- E. *Event Application – Street Dance – April 19, 2013*
- F. *Proclamation – Childhood Cancer Awareness Week*
- G. *Event Application – Iglesia De Cristo – March 16, 2013*

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve the Consent Agenda. Vote 4 yeas, 0 nays. (Commissioner Rodriguez was absent.)**

**RESOLUTION**

- 2. Resolution No. 2013-02** – This resolution adopts amendments to the budget for fiscal year 2012-2013, in particular budget for FDOT agreement, budget for continuation of US DOJ grant for wireless air cards, budget for UD DOJ BVP grant for bullet proof vests, and to increase library budget lines for purchase of subscriptions and publications due to donations specifically for those purposes. ICM Gutshall read Resolution No. 2013-02 by title.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve Resolution No. 2013-02. Vote 4 yeas, 0 nays. (Commissioner Rodriguez was absent.)**

**MISCELLANEOUS ACTION AND DISCUSSION ITEMS**

- 3. Discussion on Fourth of July Fireworks** – During the 2012-2013 budget workshops, the 4<sup>th</sup> of July Firework's budget was cut. The 4<sup>th</sup> of July fireworks' cost last year was approximately \$10,000. Staff desires final determination by the Commission about fireworks on July 4<sup>th</sup>. Public Works Director Scheffler stated that traditionally the City spent around \$10,000 to \$12,000 on the fireworks show.

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve spending \$10,000 on fireworks for the 4<sup>th</sup> of July. Vote 4 yeas, 0 nays. (Commissioner Rodriguez was absent.)**

4. **Discussion on Pension Plan** – Bonni Jensen, our pension attorney, along with City Attorney Schoech, ICM Gutshall, City Clerk McCorvey, and Finance Director Byrd, reviewed the pension plan proposals. The group narrowed the proposals down to the three best based on the following criteria: (1) ability to provide administrative services to both plans, (2) Acceptance of Fiduciary responsibility, (3) Familiarity with Governmental/401(a) plans, (4) Providing of service guarantees, (5) Ability to act as trustee, (6) Limitation of City involvement in day to day processing, and (7) Fees. The three that are suggested for further review are the Florida League of Cities, Principal, and Securian. Staff suggests that we ask these three companies to come and give the Commission a presentation on their companies and what they can offer the City.

**Commissioner Gardner made a motion, seconded by Commissioner Miller, to invite representatives from the Florida League of Cities, Principal, and Securian to make a presentation to the Commission, and also to request that Pension Attorney Jensen attend. Vote 4 yeas, 0 nays. (Commissioner Rodriguez was absent.)**

5. **City Manager Discussion** – The City Commissioners interviewed their top three candidates on Tuesday, February 26. Those candidates are Mark Chamberlain, Andrew DeCandis, and Al Perry.

**Commissioner Gardner made a motion, seconded by Commissioner Miller, to table the City Manager discussion to the March 18, 2013 meeting. Vote 4 yeas, 0 nays. (Commissioner Rodriguez was absent.)**

**PUBLIC COMMENTS** – Sherida Ridgdill came forward to speak. Ms. Ridgdill stated that the expense the City is incurring due to the termination of the former city manager was not budgeted. She asked the Commission to look at the budget and see how far the budget is off target. Ms. Ridgdill stated she noticed there are only three candidates being considered and asked the Commission if they had thoroughly looked at all of the candidates. She urged the Commission to be certain that when a new city manager is hired, the City can fund the position. Commissioner Gardner stated she too would like to see how the salary situation is going.

**REPORT FROM INTERIM CITY MANAGER** – ICM Gutshall asked Recreation Director Ramer to give the Commission an update on the spray park as it has been closed for several months because of some unsafe issues. Recreation Director Ramer stated that the spray park was constructed with a FRDAP grant in the amount of \$150,000. When the park was constructed, the best components, design applications and technology available were used. However, the current trend is going toward a “splash pad” design. The reasons for this trend are safety concerns, maintenance costs, sanitation, and the availability of replacement parts. After investigating the different types of spray areas, it was found that the “splash pad” is easier to maintain, more sanitary, more efficient to operate, and safer. Director Ramer stated that he has consulted with the various departments of the City and feels that City staff can perform much of the labor that would be required to make our splash park into a “splash pad”. Director Ramer requested that the Commission authorize him to move forward with the design stage of the “splash pad” in an amount of \$45,000 from the Voluntary Recreation Contribution fund.

**Consensus of the Commission was that the Recreation Director should move forward with the design of a “splash pad” that will not exceed \$45,000 to construct.**

**REPORTS FROM THE CITY ATTORNEY - None**

**REPORTS FROM THE CITY COMMISSION** – Commissioner Pittman stated if the All Juice plant has a permit, they should have a contract with a contractor before moving forward. The Commission would like to see the pay schedule for All Juice. Commissioner Pittman asked how the schedule was done as he doesn't think they should receive more than one draw per month. Finance Director Byrd stated the schedule is based on completion criteria. City Attorney Schoech stated it is unlikely that All Juice will receive more than one draw per month because of the completion criteria, but it is possible. Staff will look at the pay schedule and make a recommendation to the Commission. Commissioner Pittman asked if the City requires Workers Compensation insurance for all of our contractors. City Attorney Schoech stated there is potential for liability if the City does not require Workers Compensation insurance. We do put in our bid documents contractors must carry Workers Compensation insurance. Commissioner Pittman stated we are still having a problem with millet being spread on parking areas. Staff will bring a policy to the next meeting for Commission approval. Golf Course Director Pena gave an update on the items the Advisory Committee has been discussing, such as marketing strategy, a new sign on US 27, digital communications, etc. The goal is to reduce the deficit and make the golf course better.

Mayor Roland asked about the travel trailer at Blount Automotive that had been given 24 hours to move. Community Development Director Reese stated a security person was staying in the trailer. The violation was complaint driven and it is a City Code violation. Director Reese will speak to Mr. Blount and see if an idea can be agreed upon to continue to have the security at his business.

## **ADJOURNMENT**

### **Adjournment:**

The meeting was adjourned at 6:00 p.m.

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Phillip Roland, Mayor

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Marilyn McCorvey, City Clerk